

Application No.: 09/438,392
Amendment Dated 5 February 2004
Reply to Office Action of 5 November 2003

AMENDMENTS TO THE CLAIMS

This Listing of Claims will replace all prior versions, including listings, of claims in the application.

Listing of Claims

Claims 1-66 (canceled).

Claim ¹~~67~~ (previously presented): A vector comprising a DNA sequence encoding a transcription factor, having the following elements in the 5' to 3' direction, i) a promoter, ii) DNA encoding a DNA binding domain of the bacterial repressor LexA, iii) DNA encoding a transactivating domain of VP16, iv) DNA encoding the regulatory domain of an estrogen receptor.

Claim ²~~68~~ (currently amended): The vector of claim ¹~~67~~ wherein said vector further comprises a gene encoding a selectable marker ~~or a screenable marker~~, the expression of which is controlled by the transcription factor.

Claim ³~~69~~ (currently amended): The vector of claim ²~~68~~ wherein said gene is *isopentenyltransferase (ipt)*, *cytokinin-independent 1 (CKII) ipt*, *CK4*, *luciferase*, a member of the *knotted* family, a gene the expression of which can promote shoot regeneration and development, or a gene the expression of which promotes somatic embryogenesis.

Claim ⁶~~70~~ (previously presented): The vector of claim ¹~~67~~ wherein said vector further comprises one or more genes of interest.

Claim ⁴~~71~~ (previously presented): The vector of claim ²~~68~~ wherein said gene is a gene for antibiotic resistance.

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Claim ⁵~~72~~ (previously presented): The vector of claim ²~~68~~ wherein said gene is a gene for herbicide resistance.

Claim ⁷~~73~~ (currently amended): The vector of claim ¹~~67~~, further comprising a luciferase gene or a gene that causes anthocyanin production.

Claim 74 (canceled).

Claim ⁸~~75~~ (previously presented): The vector of claim ¹~~67~~ wherein said promoter is a constitutive promoter.

Claim ⁹~~76~~ (previously presented): The vector of claim ⁸~~75~~ wherein said constitutive promoter is G1090.

Claim ¹⁰~~77~~ (previously presented): The vector of claim ¹~~67~~ wherein said promoter is a tissue-specific promoter.

Claim ¹¹~~78~~ (previously presented): An isolated nucleic acid encoding a transcription factor, comprising, in the 5' to 3' direction, i) a promoter, ii) DNA encoding a DNA binding domain of the bacterial repressor LexA, iii) DNA encoding a transactivating domain of VP16, iv) DNA encoding a regulatory domain of an estrogen receptor.

Claim ¹²~~79~~ (currently amended): A transgenic plant or transgenic plant cell comprising a the nucleic acid of claim ¹¹~~78~~.

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¹³
¹² Claim 80 (currently amended): The transgenic plant or transgenic plant cell of claim 79, further comprising a gene encoding a selectable marker ~~or a screenable marker~~ the expression of which is controlled by the transcription factor.

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¹³ Claim 81 (currently amended): The transgenic plant or transgenic plant cell of claim 80, wherein the gene is selected from the group consisting of isopentenyltransferase (ipt), cytokinin-independent 1 (CKI1) ipt, CKI1, a member of the *knotted* family, a gene the expression of which can promote shoot regeneration and development, or a gene the expression of which promotes somatic embryogenesis.

¹⁵
¹² Claim 82 (currently amended): The transgenic plant or transgenic plant cell of claim 79, further comprising a luciferase gene ~~or a gene that causes anthocyanin production~~.

Claim 83 (canceled).